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NOTIFICATION

No.H.12018/86/99-LJD/12 : the 20th August, 1999. The following Act of the Mizoram Legislative Assembly, which received the assent of the Governor of Mizoram is hereby published for general information.

The Mizoram Salaries & Allowances of the Government Chief Whip and the Deputy Government Chief Whip Act, 1999

(Act No.8 of 1999)

(Received the assent of the Governor of Mizoram on the 12th August, 1999).

AN

ACT

to provide for the Salaries and Allowances of the Government Chief Whip and the Deputy Government Chief Whip in the Legislative Assembly of the State of Mizoram.

Be it enacted by the Legislative Assembly of the State of Mizoram in the Fiftieth year of the Republic of India, as follows-

Short title and commencement.

1. (1) This Act may be called the Mizoram Salaries and Allowances of the Government Chief Whip and the Deputy Government Chief Whip Act, 1999.

(2) It shall come into force on the Ist day of August, 1999.

Definiton.

2. In this Act, unless the context other-wise requires—

(a) "Deputy Government Chief Whip" means a Member of Legislative Assembly so disignated by the Chief Minister of Mizoram on the recommendation of the Government Chief Whip, to perform the duties of the Deputy Government Chief Whip, in the Legislative Assembly.

(b) "Family" in relation to the Deputy Government Chief Whip means,-

(i) his wife or her husband, as the case may be;

(ii) the children, step children and widowed daughters wholly dependent upon such Deputy Government Chief Whip; and

(iii) the parents, minor brother, handicapped adult brother, unmarried sister and widowed sister wholly dependent upon such Deputy Government Chief Whip;

(c) "Government" means the State Government of Mizoram;

(d) "Government Chief Whip" means the Minister incharge of Parliamentary Affairs ex-officio;

(e) "Governor" means the Governor of Mizoram;

(f) "Legislative Assembly" means the Legislative Assembly of the State of Mizoram;

(g) "Schedule" means the Schedule to this Act;

(h) "Travelling Allowances" means the allowances payable to the Deputy Government Chief Whip under this Act to cover the expenses which he incurs in travelling in the interest of public service.

Office of the Deputy Government Chief Whip

3. There shall be a Deputy Government Chief Whip as defined in clause (a) of section 2, who shall have the rank and status of a Minister of State under the Ministers Act, 1999.

Salaries of the Government Chief Whip and the Deputy Government Chief Whip

4. (1) The Government Chief Whip shall not be entitled to any other salaries and allowances than that he/she is entitled to as a Minister under the Mizoram Salaries and Allowances of the Ministers Act, 1999.

(2) The Deputy Government Chief Whip shall be paid a salary of ten thousand rupees per mensem.

Sumptuary, Family and

5. There shall be paid to the Deputy Government Chief Whip, a sumptuary allowance of four thousand five hundred rupees

Entertainment Allowances.

per mensem, a family allowance of five thousand rupees per mensem and an entertainment allowance of five thousand rupees per mensem.

Residence for the Deputy Government Chief Whip

6. The Deputy Government Chief Whip shall be entitled to a duly maintained, free and furnished residence throughout his term of office and for a period of fifteen days following the expiry of his/her tenure as the Deputy Government Chief Whip, and so long as such residence is not provided for his occupation, he shall be entitled to a hired residence for which rental charges shall not be more than seven thousand rupees per mensem.

EXPLANATION :- For the purpose of this section,-

"maintenance" in relation to a residence includes,-

(i) free supply of electricity and water.

(ii) free telephone calls.

(iii) a Deputy Government Chief Whip who occupies his own House shall be entitled to maintenance as if he occupies Government quarter.

(iv) payment of local rates and taxes.

Conveyance allowance and use of motor Car

7. The Deputy Government Chief Whip shall be entitled to free use of a motor vehicle, entire cost of maintenance along with the services of a chauffeur, which shall be borne by the Government.

Travelling allowance and daily allowance.

8. Subject to the provisions of the Schedule to this Act, the Deputy Government Chief Whip shall be entitled to such travelling allowance and daily allowances as a Minister of State of Mizoram is entitled.

Medical facilities

9. The Deputy Government Chief Whip and the members of his/her family shall be entitled to free of charge accommodation in any hospital either maintained or recognised by the Government and also to medical treatment in accordance with the Medical Attendance Rules for the time being in force in the State and applicable to the highest ranking Officer of the Government.

Deputy Government Chief Whip not to draw salary or allowance as a member of the Legislative Assembly

10. No person in receipt of a salary or allowances under this Act shall be entitled to receive any sum out of the funds provided by the Legislative Assembly by way of salary or allowances in respect of his/her membership in the Legislative Assembly.

Notification in respect of appointment of Government Chief Whip and Deputy Government Chief Whip to be conclusive evidence thereof

11. The date on which any member of the Legislative Assembly becomes or ceases to be the Government Chief Whip or Deputy Government Chief Whip shall be notified in the Mizoram Gazette and any such notification shall be the conclusive evidence of the fact that he/ she has become or ceased to become the Government Chief Whip, or the Deputy Government Chief Whip, as the case may be, on and from that date for all purposes of this Act.

Government Chief Whip and Deputy Government Chief Whip not to be disqualified

12. No Member of the Legislative Assembly shall be disqualified for being chosen as or for being a member of the Legislative Assembly merely by reason of the fact that he/she holds the office of the Government Chief Whip or the Deputy Government Chief Whip.

Household Staff

13. The Deputy Government Chief Whip shall be entitled to Grade IV staff of his choice as Household staff as are entitled to Minister of State of Mizoram throughout his/her term of Office.

Repeal & Savings

14. (1) The Mizoram Salaries and Allowances of Government Chief Whip and the Deputy Government Chief Whip Act, 1995, shall stand repealed with effect from the date of commencement of this Act.

(2) Notwithstanding such repeal, anything done or any action taken under the Act so repealed shall, in so far as it is not inconsistent with the provision of this Act, be deemed to have been done or taken under this Act.

SCHEDULE
(See section 8)

Travelling on duty & daily allowance

1. (a) When travelling on duty by railway or by road or by steamer or by air, the Deputy Government Chief Whip shall be entitled to reimburse the actual expenditure in railway, road, steamer, air, accommodation charge and daily allowance at the rate of Rs. 400/- within Mizoram and Rs. 500/- outside Mizoram.

(b) While in station the Deputy Government Chief Whip shall be entitled to a daily allowance at the rate of Rs. 350/- per day.

Travelling allowance on Journey for assuming and demitting office

2. In respect of the journey to headquarters from his/her constituency headquarters for assuming office or between headquaters and his/her constituency headquarters on demitting office, a Deputy Government Chief Whip is entitled to reimbursement of the actual fare in any bus of the journey, and if he/she uses own car he/she shall be entitled to a reimbursement at the rate of Rs. 5/- per Kilometre for the journey subject to the modification that the journeys by rail a Deputy Government Chief Whip and the members of his/her family may travel by air-conditioned First class accommodation,

Travel by air

3. (a) A Deputy Government Chief Whip may, in the public interest, perform journeys on tour by air in public air transport service.

(b) On the cancellation of a Journey due to official reason, a Deputy Government Chief Whip shall be entitled to re-imburse any deduction made by the air transport services when refunding the fare on account of cancellation of the air passage.

(c) A Deputy Government Chief Whip who does not utilise the free transport provided by the air booking centre and the airport may also recover in respect of journey to and from the airport actual travelling expenses or road mileage as journey on duty by road whichever is less.

Travel by railway

4. A Deputy Government Chief Whip shall have the right to reserve by requisition an ordinary first class A.C. 2 tier compartment when travelling by railway on duty.

EXPLANATION:- For the purpose of this paragaph, a first class compartment means a two-berthed compartment or an air-conditioned coupe where it is available or a four-berthed compartment if a two-berthed compartment or an air conditioned coupe is not available in the train by which the Deputy Government Chief Whip travels.

Advances

5. A Deputy Government Chief Whip shall be entitled to-

(a) an advance of travelling allowance towards the cost of transporting himself and the members of his family and his family's effects-

(i) in respect of the journey to headquarters from his Constituency headquarters outside headquarters for assuming office;

(ii) in respect of the journey from headquarters to his constituency headquarters outside the headquarters on relinguishing office, and

(b) an advance of travelling and daily allowance in respect of the tours undertaken by him in the discharge of his official duties whether by land, sea or air.

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